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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,551	07/06/2001	Robert Khello	3995-2	3423
7590	03/24/2005		EXAMINER	
NIXON & VANDERHYE P.C. 8th Floor 1100 North Glebe Road Arlington, VA 22201			HONG, HARRY S	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/899,551	KHELLO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Harry S. Hong	2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 06 July 2001.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-70 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-70 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 06 July 2001 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/01, 6/02, 6/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 7-16, 18, 19, 30, 31, 33-42, 44-49, 51, 58-61, and 63-70 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Anderson et al. (Anderson; US 6,974,453; cited by the applicants and applied for the first time).

Regarding claims 1-5, 7-16, 18, 19, 30, 31, 33-42, 44-49, 51, 58-61, and 63-70, Anderson plainly teaches the claimed arrangements for determining an Internet address for an entity identifier (read as the static identifier or the telephone number of Anderson). Refer to FIGs. 2, 4, and 5; column 2, line 25 – column 8, line 51, where the claimed DNS server reads on the HYBRID DNS SERVER 135; the claimed number portability database reads on the DYNAMIC DATABASE TABLE 225; the claimed NAPTR has to be inherent to the system of Anderson; and the claimed URLs are taught via the URLs of Anderson.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5, 7-16, 18, 19, 30, 31, 33-42, 44-49, 51, 58-61, and 63-70 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Low et al. (Low; US 6,131,095; cited and applied for the first time).

Regarding claims 1-5, 7-15, 18, 19, 30, 31, 33-42, 44-49, 51, 58-61, and 63-70, Low plainly teaches the claimed arrangements for determining an Internet address for an entity identifier (telephone number). Refer to FIGs. 13-18; column 21, line 19 – column 26, line 27; and to column 30, line 47 – column 31, line 26, where the claimed DNS server reads on the HTTP SERVER 51; the claimed number portability database reads on the SERVICE RESOURCE DATABASES 52; and the claimed NAPTR reads on the DNS Registration Records of Low. Low teaches by name the claimed URIs.

Regarding claim 16, note that Low teaches multiple HTTP SERVERS (DNS servers).

5. Claims 1-70 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Mizell et al. (Mizell; US 6,201,965; cited by the applicants and applied for the first time).

Regarding claims 1-5, 7-15, 18, 19, 30, 31, 33-42, 44-49, 51, 58-61, and 63-70, Mizell also plainly teaches the claimed arrangements for determining an Internet address for an entity identifier (telephone number). Refer to FIGs 1, 3, and 4; and to column 1, line 65 – column 5, line 20, where the claimed DNS server reads on the DNS server 28/29; the claimed number portability database reads on the HLR 16; and the claimed NAPTR has to be inherent in the DNS server of Mizell.

Regarding claim 16, see column 5, lines 9 – 12.

Regarding claims 6, 17, 20-29, 32, 43, 50, 52-57, and 62, Mizell discloses a mobile environment.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

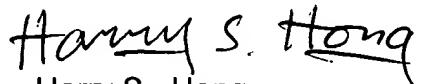
9. Claims 6, 17, 20-29, 32, 43, 50, 52-57, and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson or Low, as applied above, in view of Mizell, as applied above.

Anderson or Low fails to teach the mobile environment. However, Mizell clearly teaches an arrangement similar to the arrangement of Anderson or Low incorporated in a mobile environment. Therefore, it would have been obvious even to one of ordinary skill in the art at the time of the invention to also incorporate the arrangement of Anderson or Low in a mobile environment as taught and motivated by Mizell.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harry S. Hong whose telephone number is (703) 306-3040. The examiner can normally be reached on Monday-Friday, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Harry S. Hong  
Primary Examiner  
Art Unit 2642

March 21, 2005